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A History of California Labor Legislation. By LUCILE EAVES. University of California Publications in Economics, Vol. II. Berkeley, Cal.: University Press, 1910. 4to, pp. 14+461. \$4.00.

The point of view taken by the author is that legal enactments are "but the final expression of the demands of the wage-workers of the state at different periods in its economic development." With this as a starting-point the author traces "the circumstances giving rise to these demands and also the social forces making possible the passage of the proposed measures." Approaching the subject in this way the result could not fail to be more than a mere catalogue of laws enacted with dates and circumstances connected with each. One cannot read far into its pages without feeling that here is an account of a development that goes below the surface and reveals the forces that produce the results.

The first chapter is devoted to the San Francisco labor movement. Though first written for another purpose, it serves admirably as an introduction to the chapters that follow. San Francisco is characterized as the center of leadership not only of California but of the Pacific coast. Several reasons are named why this is so. These forces have given to San Francisco the "trade union leadership of the West." So significant are these factors that the author is willing to assert further "that these same causes tend, at the present time, to make this the chief stronghold of American trade unionism" (p. 1). As this is not, however, the main point of the book, its author does not take space to furnish any evidence in support of that opinion. Within the space of eighty pages there is condensed a very comprehensive sketch of San Francisco's labor movement. Following this chapter, and occupying the remainder of the first half of the book, are considered negro slavery and Chinese immigration. Of the two the latter is, of course, the more important and receives the larger consideration. In the four chapters dealing with this topic the reader is furnished with a very clear account of the attitude of the laboring classes of the Pacific coast toward the Chinese, how this attitude has changed as different phases of the problem became prominent, and how it settled down finally into a positive determination to insist upon a policy of exclusion.

The second half of the work is given up to the lines of legislation that are common to all of the states that are at all advanced industrially. The chapter on the length of the working day carries the reader through the struggle the main features of which are the same as in other states. The legislation first secured was of little force. Then the troublesome phrase, "require or permit," was introduced. To insure the constitutionality of this phrase a constitutional amendment was necessary. Then came difficulty in enforcing the law. The present tendency encourages the author to state: "It seems probable that in a few years all the wage-earners of California will attain that long-desired blessing—the eight-hour day" (p. 228). In the chapter on the protection of wages is set forth the struggle for lien laws, and other means of making wages secure. A point of particular interest is the statement of the conditions to which workmen for corporations carrying on lumbering and other isolated industries were subjected. "Some of the lumber companies have availed themselves of every possible opportunity to rob their employees systematically." A law was finally secured to protect wages. This law was set aside by the state supreme court

as unconstitutional for several reasons, among which were class legislation and freedom of contract. Employers' liability is shown to have had in the main the usual history. The common law, interpreted by the courts, operated unfavorably for the working classes in the changing conditions. Amendments were sought but not secured until 1903 and 1907. "These amendments," we read, "have done away with the most unjust features of the old common-law rulings, but we still fall far short of the protection given by the industrial laws of a number of the great nations of Europe." The evil that remains is that of costly litigation. This added cost is a severe handicap to the workingmen. Yet hope is found in the fact that the expense is becoming so great to the employer that he "must soon be brought to a realization of the fact that it would be cheaper, as well as more humane, to insure his employees against all accidents not due to gross negligence on the part of the injured person" (p. 286). In the chapter on the labor of children the reader is first informed that "there are but few states in the Union where labor of children has been so little utilized as in California" (p. 287). Yet as industries developed the same old story is repeated, the fight for legislation and the opposition on the part of employers in certain industries—in this instance, the canning industries. Finally, laws were secured. At the end of the chapter one learns that "the great need in California is not more legislation for the protection of children, but a better enforcement of such laws as we already have on the statute books" (p. 309). The problem has not yet "assumed the distressing proportions of other sections," yet, "there has been much indifference about the enforcement of the measures that might protect the relatively small number among us whose unfortunate circumstances have forced them to become bread-winners at an early age" (p. 310). In the endeavor to protect women workers, attempts have been made to secure laws limiting the hours of their labor. Such laws, however, would undoubtedly have been declared unconstitutional, owing to a peculiar provision in the constitution in regard to women workers. "No person shall on account of sex be disqualified from entering upon or pursuing any lawful business, vocation or profession." Yet the author declares that "undoubtedly many of the women workers of the state suffer from excessive hours of labor. . . . Girls often serve fifteen hours or more a day, with a half day off once in two weeks" (p. 317). The only gains—and they are "substantial" ones—have been made through unions. In legislation for the protection of life and health there are still "the marked individualistic tendencies that have always been characteristic of the western frontier." "There has been but little legislation of this kind, and such laws as have been enacted have been enforced in a somewhat desultory manner" (p. 318). As to the union label, the reader is informed, "California trade unionists are gradually coming to realize that in the union label they have found their most effective means of securing the closed shop" (p. 393).

Concluding the special topics, and coming to the summary, we read: "As one goes more carefully into the actual history of this important section of the American labor movement, its thoroughly democratic character becomes evident. The claim that these activities have been the product of the agitations of discontented, foreign—mostly Irish—demagogues is utterly superficial, and entirely unsupported by the facts of history. . . . Instances where

the California trade-unionists have appeared fickle and ungrateful in their repudiation of once-powerful leaders indicate that their allegiance has been given to the cause rather than to the man representing it." "In reviewing the California labor legislation, one is impressed with the absence of that paternalism which is so evident in European labor laws. The California wage-worker has sought the reform of abuses or a guarantee of just treatment rather than special privileges. With the self-reliance characteristic of the West, he has undertaken his own defense by an intelligent use of the ballot and by vigorous organized efforts. If unrestrained in his activities, it seems quite probable that he would be able to hold his own in any future controversies." "On the whole, the labor movement of California has been singularly free from corruption. In proportion as the rank and file of its membership learn to take a more intelligent interest in political activities, we can hope for an infusion of that sturdy honesty that is generally characteristic of the American working man."

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State and Local Taxation. Third Annual Conference, under the Auspices of the International Tax Association, Held at Louisville, Ky., September 21-24, 1909. Addresses and Proceedings. Columbus, Ohio: International Tax Association, 1910. 8vo, pp. 381.

The interest in the work and aims of the International Tax Association seems well sustained in the third annual conference. The scope of the program presented may be indicated by a brief review of the leading topics discussed, without attempt to summarize all of the papers contributed.

The topic which seemed to awaken the greatest interest in the conference was that of recent federal taxation. The new corporation tax was assailed by Mr. Purdy as "unworkable and unjust, not productive of revenue, and needlessly inquisitorial." Professor Seligman was inclined to justify the tax as a regulative measure, though "as a purely fiscal measure the new tax was open to every possible objection." The general discussion of the papers on this topic, which was by far the most interesting and spirited of any of the discussions, revealed the fact that the conference was by no means unanimous in their conception of the fundamental nature of a tax, that is, whether taxes should be levied for fiscal purposes only, or whether taxes levied primarily for regulative ends were legitimate. The resolution which resulted from these papers may be interpreted as an intimation of the attitude of the conference toward further expansion of the federal powers in this direction.

The whole large question of the recent tendencies toward centralization, with its "issues far beyond the limits of taxation," was raised by the suggestion of President Foote for a convention of the states "for the purpose of discussing, reviewing, and readjusting the powers delegated to the federal government." These suggestions found expression in the resolution requesting the governor of Kentucky "to submit the subject for the consideration of the governors, at the first meeting of their association."

The case for a classified property tax was very strongly put by Professor